



MONTGOMERY COUNTY COUNCIL  
ROCKVILLE, MARYLAND

ROGER BERLINER  
COUNCILMEMBER  
DISTRICT 1

CHAIRMAN  
TRANSPORTATION, INFRASTRUCTURE  
ENERGY & ENVIRONMENT COMMITTEE

STATEMENT OF MONTGOMERY COUNTY COUNCIL VICE PRESIDENT ROGER BERLINER  
BEFORE THE CHARTER REVIEW COMMISSION ON THE QUESTION OF TERM LIMITS

Chair Bessel asked me to come this morning in response to our Council's request of the Chair for the Commission to carefully assess whether term limits would benefit our county.

You assume this role in part to serve as guardians of our charter. It is an important responsibility. And the proposal for term limits is important as well. Our community looks to you for guidance on such matters.

The President of the Council is out of the country, so I come before you this morning in my role as Vice President.

As President Floreen noted publicly, all nine members of the Council share one perspective: term limits would not be in the best interest of our county.

I think all of us recognize that our county is closely divided on this question. When this issue was voted upon in the past, it received considerable support. And it is likely to receive considerable support again.

Speaking for myself, I think term limits gain a lot of support, and have been adopted elsewhere, because it combines the surface appeal of "good government" with the increasing dissatisfaction with government.

My own experience, dating back to when I served as legislative staff to the California State Legislature as a young man, is that the "good government" surface appeal of term limits doesn't hold up under scrutiny. In California, it is generally recognized that the result of term limits there was to shift power from elected officials to lobbyists and staff. That is not a good thing. More broadly, I am not aware of any credible analysis that shows that the quality of decision making has been enhanced by virtue of term limits.

In the blogs and commentary one reads about this proposal in our county, I have seen that people are drawn to it in part because of their anger over tax increases. Yet the charter already has strong protections against increasing taxes, requiring all nine members of the Council to support doing so. And while there may be nine Democrats on the Council, a fact that is unlikely to be affected by terms limits, there has always been a wide range of views on taxes, ensuring that if taxes are increased, it is because of a broad consensus on a compelling need to do so.

I have also read that term limits will limit the advantages of incumbency. That is true. But it comes at the high price of limiting voters' right to re-elect someone they believe is serving our community well. My own experience is that I was a better councilmember in my second term than I was in my first, and that I hope I am a better councilmember in my third than I was in my second. This is serious work where experience really does matter.

And it is a blunt tool to reduce the benefits of incumbency in an election, a tool that isn't needed. I am an example of someone who defeated an incumbent councilmember. Moreover, it ignores the unprecedented step our Council has taken to level the playing field in elections by providing for the option of public financing. We should at least wait and see how that changes the electoral dynamic before embracing term limits for that purpose.

I have also read that it must be good because other counties in Maryland have adopted them. In my judgment, those jurisdictions succumbed to the same combination of surface good government appeal and dissatisfaction with government. As I noted before, I have seen no credible evidence that the quality of their government has been enhanced as a result. What I have seen is that power shifts from the elected to the unelected, and I don't think that is a good thing.

This raises the broader issue of accountability. Those of us who run for election are held accountable for our actions. I see emails that remind me of that almost every day. But accountability is lessened, not enhanced, by term limits. Those elected for four years for a third term if this proposal passes would not be accountable for a day of those four years. I don't see the lessening of accountability to our voters as benefiting our county or good government.

Bottom line: I believe the benefits of term limits are illusory, but the costs are real and harmful to good government.

Commission members, these are my own views. You will hear from many members of our community with a very different point of view. While I do not share their views, I do respect the fact that there is a diversity of viewpoints on this important question.

Your job, as guardians of our charter, is to make sure that our charter survives the turmoils of the times and takes the long view of good governance. We have enjoyed good governance in our county for many, many years. It is indeed one of the hallmarks of our county. And our charter is one of the bulwarks of Montgomery County's good government. Please do your best to protect it.